



COUNTY OF SAN DIEGO

DEPARTMENT OF PLANNING AND LAND USE: Zoning

FARM / AGRICULTURAL EMPLOYEE HOUSING APPLICATION PROCEDURES

Establishing farm employee housing for up to twelve dwelling units each designed for use by a single-family or household, or up to 36 beds in a group quarters requires a building permit. Additional permits and requirements such as grading and septic may be needed depending on the scope of the project. All applicants are required to a record document certifying that at least one family member who will occupy each housing unit is a farmworker as defined in the County's Zoning Ordinance prior to the issuance of a building permit.

The San Diego County Zoning Ordinance defines a Farm Employee as:

A person who derives more than half of their total livelihood in the service of another person as an employee engaged in active commercial agriculture "Farm Employee" does not include the owner or lessee of a particular property, or a person engaged in construction, alteration, painting, or repair of a structure, logging, or land surveying.

"Farm Employee" may include a person engaged in brush or timber clearing, land grading or leveling when such activity is being carried out in preparation for farming.

Farm employee housing is permitted as an accessory use to commercial agriculture in the RR, A70, A72, S80, S87, S88, S90 and S92 zones provided that the provisions of Subsection u. of Section 6156 of the County Zoning Ordinance are met. Applicants should follow the **Pre-Application Process, and Building Permit Application Process** described on the next page.

Please note, in the RS, RD, RM, RV, RU, RMH, RRO, RC, C32, C34, C35, C36, C37, C38, C40, C42, C44, C46, M50, M52, M54, M58, S82, S86, and S94 Use Regulations, farm employee housing is allowed upon issuance of an Administrative Permit.

In addition, as funding is available certain fees/deposits may be waived under the Farmworker Housing Fee Waiver Program for projects meeting certain conditions. Summarized, the conditions are that: 1) There is a verified active agricultural enterprise on the property where the housing is located; 2) the housing is not subject to an active code violation; 3) the applicant has entered into an agreement with the Department of Housing and Community Development; and 4) the building permit must be filed during one of the program periods (see "Pre-Application Process on Page 2 for a list of required forms).

Please carefully read all of the information in this guide and the forms required for the application package. An accurate and complete application will reduce delays in processing. **Please contact the Department of Planning and Land Use, Farm Employee Housing Coordinator at (858) 694-3714 if you have any questions or require assistance.**

PRE-APPLICATION PROCESS

1. Department of Environmental Health (DEH) – 5201 Ruffin Rd., San Diego

Contact DEH at (858) 565-5173 to discuss proposed method of sewage disposal. If the project will not be connected to a sewer, a subsurface system may be required.

2. Department of Agriculture, Weights and Measures (AWM) – County Operations, Center, Bldg. 3, 5555 Overland Ave., San Diego

Contact AWM at (858) 694-2858, for information concerning obtaining a **Verification of Agricultural Operation**. The completed and signed Agricultural Enterprises form must be submitted with your application package.

3. Department of Housing and Community Development (HCD) – 3989 Ruffin Rd., San Diego. **Note:** This step applies only when you are requesting your permit under the Farmworker Housing Fee Waiver Program.

Contact HCD at (858) 694-4823, for information concerning the contractual agreement. A signed copy of the agreement is necessary in order to file your building permit and be eligible for a waiver of the fees.

BUILDING PERMIT APPLICATION PROCESS

A building permit must be obtained for either the construction of a building for the housing or the installation of a manufactured home. Inquire at the Zoning Information Counter first to make sure that the proposed building site meets zoning requirements.

Prior to issuance of a building permit, non-fee waiver applicants will be required to sign and record the DPLU Farm Employee Housing Agreement. You may be required to provide proof of farm employment by furnishing a copy of IRS form #943 or other proof of employment. It is the responsibility of the property owner where the housing is sited to provide this documentation whether or not the farm employee is employed at that site.

1. Department of Planning & Land Use – 5201 Ruffin Rd.

Submit **completed** application package to Building Permit Counter. Application Package:

- i. Building Permit Application Form.....DPLU #291
- ii. Mobilehome Installation Information, if applicable.....provided by mobile home dealer or applicant
- iii. **Three (3)** copies of a plot plan.....DPLU #90Z
- iv. Agricultural Enterprises and Consumer Disclosure (from AWM).....No Form No.
- v. HCD Farm Employee Housing agreement (if fee waiver).....No Form No.
- vi. DPLU Farm Employee Housing Agreement (if not fee waiver).....No Form No.
- vii. Fees.....Variable

The Building Permit Counter staff will check for active code enforcement action on the subject property. The Fee Waiver Program will not apply if enforcement action is verified. It is the responsibility of the owner of the property where the housing is proposed to be located to provide all required documentation.

2. Department of Environmental Health – 5201 Ruffin Rd.

If the project is not to be served by a public sewer service, submittal of a preliminary septic layout with DEH at the time the Building Permit application is submitted is required. The Building Permit cannot be approved until the septic system is deemed satisfactory by DEH. DEH may require an on-site inspection. DEH may require a well sample if water is supplied by a new or existing well.

Additional Requirements

- 1. Grading.** Any fill over a foot in depth will require a compaction report by a registered civil engineer certifying the fill is compacted to a minimum of 90 percent. If more than 200 cubic yards of earth will be moved or if a cut or fill depth exceeds 8 feet, a grading permit is required. Contact the Department of Public Works (DPW), (858) 694-3267 (5201 Ruffin Road, San Diego) about obtaining a grading permit. Grading in conjunction with a building permit and submitted at the same time or after the plan check, which meets Department of Planning and Land Use minor grading requirements may be submitted through the Department of Planning and Land Use. Contact the Building Division (858)-565-5920 (5201 Ruffin Road) for more information. If you are brushing or moving less than 200 cubic yards of earth, check with the Zoning Information County (858) 565-5981 (5201 Ruffin Road) about the need for a brushing/clearing permit. Before building permit may be issued, any required compaction report must be submitted or, in the case of a grading permit, rough grading approval must be obtained.
- 2. Drainage.** At time of pre-application review (required prior to plan check submittal), the Pre review Counter staff will check whether flood control fees are required. If so, after permit application submittal, the applicant will be referred to the Flood Control Counter (858) 694-3267, Department of Public Works, 5201 Ruffin Road). Flood Control Counter staff will determine the amount of drainage fees required to be paid by the project applicant at the time of the issuance of the building permit. The Drainage Fee Form (DPW #381) must be completed and signed by the Flood Control Counter staff. The completed form should be returned to the Building Permit Counter at the time the building permit is issued.
- 3. Fire.** Early coordination with the fire district that serves your area is strongly encouraged regarding fees and costs you may incur for fire protection requirements. These requirements for employee housing may have significant additional costs associated with fire hydrants, sprinkling systems, water storage tanks and/or other local regulations.

A fire mitigation form is required prior to issuance of a building permit. The fire mitigation form (DPLU #308A) will be provided by the Building Permit Counter at the time you submit your plans for plan check. The fire mitigation letter should be taken to the fire district to be signed by a fire district official indicating the amount of fire mitigation fees required to be paid by the project applicant at the time of issuance of the building permit. After the fire letter has been signed, it should be returned to the Building Permit Counter at the time the building permit is issued.

4. **Water.** If the property is not served by a public water system, contact DEH at (858) 565-5173 (5201 Ruffin Road) regarding fees and regulations for the installation and use of a well. If the property is to be served by a public water system, a public water system letter is required before issuance of a building permit. The public water system letter (DPLU #510) will be provided by the Building Permit Counter at the time you submit your plans for plan check. The water letter should be taken to the water district to be signed by a water district official indicating that all requirements of the district have been met and water service will be provided to the subject property. After the water letter is signed, it should be returned to the Building Permit Counter at the time the building permit is issued.
5. **Sewer.** A public sewer service letter is required before issuance of a building permit if the project is not going to be served by an on-site septic system. The sewer service letter (DPLU #510) will be provided by the Building Permit Counter at the time you submit your plans for plan check. The sewer service letter should be taken to the sewer service agency to be signed by the agency official indicating that all requirements of the district have been met and sewer service will be provided to the subject parcel. After the sewer service letter is signed, it should be returned to the Building Permit Counter at the time the building permit is issued.
6. **Schools.** A school letter is required before issuance of a building permit. The school letter (DPLU #510) will be provided by the Building Permit Counter at the time you submit your plans for plan check. The school letter should be taken to the school district(s) to be signed by a school official indicating all requirements of the district have been met and that any required school fees have been paid. After the school letter is signed, it should be returned to the Building Permit Counter before or at the time the building permit is issued.